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The Hon. Xavier Becerra
Attorney General's Office
California Department of Justice
P.O. Box 944255
Sacramento, CA 94244-2550

Re: Political Cyberfraud Violation

Dear Attorney General Becerra:

We are counsel to Janz for Mayor 2020 (the "Committee"), the campaign committee of Andrew Janz, who is a candidate for Mayor of Fresno in 2020. We are writing to report an incident of cyberfraud that violates the California Political Cyberfraud Abatement Act, Election Code section 18320. In order to protect the integrity of California's election's systems, we ask that you investigate these violations promptly.

On or about October 25, the Committee identified a website with the url janz4mayor.com (the "Fake Website"). The Fake Website purports to be sponsored by the Committee and support Mr. Janz's candidacy – it has the header "Andrew Janz for Mayor of Fresno" and identifies "Andrew Janz for Fresno Mayor 2020" as the sponsor at the bottom – but it was not created by or authorized by the campaign.¹ Instead, the Fake Website is a surreptitious attempt by anonymous actors to attack Mr. Janz by falsely attributing to him controversial views that he does not hold. For example, the website says "Andrew Janz will fix police violence by removing firearms and aggressive policing. Andrew will remove all non violent [sic] crimes as being prosecutable." It continues: "Andrew will provide county funded needle exchanges throughout Fresno as well as a comprehensive clean needle use program throughout all of FUSD beginning in elementary school ages." To be clear: Mr. Janz does not support

¹ A screen-shot of the Fake Website is attached as **Exhibit A**. The Committee's website is janzformayor.com.

removing firearms from the police, decriminalizing nonviolent crimes, or county-funded needle exchanges, nor does he support providing drug paraphernalia to minors.

At the bottom of the Fake Website is the language “Donate Now!” with hyperlinked language saying “Your donations will go to a quality candidate that will care for you!” Clicking on the link directs to a donation page for Mr. Janz’s opponent, Jerry Dyer, at <https://www.efundraisingconnections.com/c/JerryDyerforMayor/>.² The Fake Website also incorrectly identifies the Committee’s address and phone number as 1101 W Hedges Ave, Fresno, CA 93728 and (559) 412-6226, which is the contact information for a local needle-exchange program. According to the GoDaddy.com website, the Fake Website was issued by GoDaddy.com and was registered through Domains By Proxy, LLC to shield the true owner and operator of the site from public disclosure.³

The Fake Website violates that California Political Cyberfraud Abatement Act. That Act makes it a crime to commit an act of political cyberfraud.⁴ “Political cyberfraud” is defined, in relevant part, as “a knowing and willful act concerning a political Web site that is committed with the intent to ... cause a person reasonably to believe that a political Web site has been posted by a person other than the person who posted the Internet Web site, and would cause a reasonable person, after reading the Internet Web site, to believe the site actually represents the views of ... a candidate for public office.”⁵ It includes “[i]ntentionally diverting or redirecting access to a political Web site to another person’s Internet Web site by the use of a similar domain name, meta-tags, or other electronic measures”⁶ and “[r]egistering a domain name that is similar to another domain name for a political Web site.”⁷

The Fake Website does just this. It uses a website with a url, janz4mayor.com, that is almost identical to the Committee’s actual website, janzformayor.com, to intentionally misrepresent Mr. Janz’s views. By purporting to be a website *in support* of Mr. Janz, the Fake Website would cause a reasonable person who is unfamiliar with Mr. Janz’s real positions to believe that the fake views identified

² A screen-shot of the donation page attached as **Exhibit B**.

³ A screen-shot from the GoDaddy.com website is attached as **Exhibit C**.

⁴ Cal. Elec. Code § 18311(b).

⁵ *Id.* § 18311(c)(1).

⁶ *Id.* § 18311(c)(1)(A).

⁷ *Id.* § 18311(c)(1)(C).

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on the Fake Website accurately represented Mr. Janz's political views. And when a viewer clicks on the donation link at the bottom of the website, it redirects to a donation page that raises funds, not for Mr. Janz, but for Mr. Janz's opponent.

The California Political Cyberfraud Abatement Act was created to protect the integrity of our elections in the aftermath of Russian interference in our elections in 2016. The owners and operators of the Fake Website are using the same type of deceptive techniques to interfere in the 2020 Fresno mayoral election. We respectfully request that you investigate this matter to help stop these illegal and deceptive tactics, uphold the integrity of our elections, and shed light on the true sponsor of the Fake Website.

Sincerely,


A handwritten signature in blue ink, consisting of a stylized 'A' followed by a long, sweeping horizontal line that curves slightly upwards at the end.

Andrew Harris Werbrock
Counsel to Janz for Mayor 2020

AW:mn
(00393390-2)

EXHIBIT A

ANDREW JANZ FOR MAYOR OF FRESNO



JOIN OUR MOVEMENT NOW!

Fresno doesn't need another mediocre white guy!

LATEST NEWS

(559)412-6226

THE PLATFORM

Serving The Community

Andrew Janz is a Fresno County prosecutor running for Mayor of Fresno. Andrew's top priorities are fixing poverty and homelessness, expanding funding for parks and open spaces, and correcting a corrupt police department.



Fixing a Broken System

Andrew Janz will fix police violence by removing firearms and aggressive policing. As a prosecutor, Andrew knows that most crimes that fill the courtroom are meant to hinder the people of color of Fresno. Andrew will remove all non violent crimes as being prosecutable. Less crime will bring about a better Fresno!



Ending Addiction

Having spent much of his time campaigning in the bay area in 2016, Andrew Janz knows whats needed to solve the drug crisis in Fresno. Andrew will provide county funded needle exchanges throughout Fresno as well as a comprehensive clean needle use program throughout all of FUSD beginning in elementary school ages.



Creating a more exciting Fresno

With exciting tech hubs growing locally, such as BitWise, an exciting new connection to the bay area and LA being built with the HSR, and Andrew's strong connections with major celebrity's, Andrew will help lead Fresno to new and exciting level of inclusion and wealth!

CONTACT US

Drop us a line!

Message

SEND

This site is protected by reCAPTCHA and the Google Privacy Policy and Terms of Service apply.

Donate Now!

[Your donations will go to a quality candidate that will care for you!](#)

Andrew Janz for Fresno Mayor 2020

1101 W Hedges Ave, Fresno, CA 93728

(559)412-6226

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Powered by GoDaddy Website Builder

EXHIBIT B

Jerry Dyer for Mayor 2020

① Contribution

Have an eFundID? [Login](#)

\$10

\$25

\$50

\$100

\$500

\$4700

\$ Other

One Time

Monthly

② Personal Information

Email

Phone

Individual

Company

First Name

Last Name

Address

City

State
CA

Zip

☐ I am retired

Employer

Occupation

③ Payment Method

Credit Card Number

MM/YY

Security

☐ My credit card address is different than my home address.

Comment

Contribute

By contributing you agree to the [terms](#) and [conditions](#).

Powered by eFundraising
Connections

Charges will appear as "BT_JerryDyer" on your credit card statement.

Political donations are not tax deductible for income tax purposes.

EXHIBIT C

Search the WHOIS Database

Enter a domain name to search

Search

Private Registration Local listings

WHOIS search results

Domain Name: janz4mayor.com
Registry Domain ID: 2404889674_DOMAIN_COM-VRSN
Registrar WHOIS Server: whois.godaddy.com
Registrar URL: http://www.godaddy.com
Updated Date: 2019-06-21T23:17:08Z
Creation Date: 2019-06-21T23:17:08Z
Registrar Registration Expiration Date: 2021-06-21T23:17:08Z
Registrar: GoDaddy.com, LLC
Registrar IANA ID: 146
Registrar Abuse Contact Email: abuse@godaddy.com
Registrar Abuse Contact Phone: +1.4806242505
Domain Status: clientTransferProhibited http://www.icann.org/epp#clientTransferProhibited
Domain Status: clientUpdateProhibited http://www.icann.org/epp#clientUpdateProhibited
Domain Status: clientRenewProhibited http://www.icann.org/epp#clientRenewProhibited
Domain Status: clientDeleteProhibited http://www.icann.org/epp#clientDeleteProhibited
Registry Registrant ID: Not Available From Registry
Registrant Name: Registration Private
Registrant Organization: Domains By Proxy, LLC
Registrant Street: DomainsByProxy.com
Registrant Street: 14455 N. Hayden Road
Registrant City: Scottsdale
Registrant State/Province: Arizona
Registrant Postal Code: 85260
Registrant Country: US
Registrant Phone: +1.4806242599
Registrant Phone Ext:
Registrant Fax: +1.4806242598
Registrant Fax Ext:
Registrant Email: janz4mayor.com@domainsbyproxy.com
Registry Admin ID: Not Available From Registry
Admin Name: Registration Private
Admin Organization: Domains By Proxy, LLC
Admin Street: DomainsByProxy.com
Admin Street: 14455 N. Hayden Road
Admin City: Scottsdale
Admin State/Province: Arizona
Admin Postal Code: 85260
Admin Country: US
Admin Phone: +1.4806242599
Admin Phone Ext:
Admin Fax: +1.4806242598
Admin Fax Ext:
Admin Email: janz4mayor.com@domainsbyproxy.com
Registry Tech ID: Not Available From Registry
Tech Name: Registration Private
Tech Organization: Domains By Proxy, LLC
Tech Street: DomainsByProxy.com
Tech Street: 14455 N. Hayden Road
Tech City: Scottsdale
Tech State/Province: Arizona
Tech Postal Code: 85260
Tech Country: US
Tech Phone: +1.4806242599
Tech Phone Ext:
Tech Fax: +1.4806242598
Tech Fax Ext:
Tech Email: janz4mayor.com@domainsbyproxy.com
Name Server: NS13.DOMAINCONTROL.COM
Name Server: NS14.DOMAINCONTROL.COM
DNSSEC: unsigned
URL of the ICANN WHOIS Data Problem Reporting System: http://wdprs.internic.net/
>>> Last update of WHOIS database: 2019-10-28T20:00:00Z <<<

For more information on Whois status codes, please visit https://www.icann.org/resources/pages/epp-status-codes-2014-06-16-en

Notes:

IMPORTANT: Port43 will provide the ICANN-required minimum data set per ICANN Temporary Specification, adopted 17 May 2018.
Visit https://whois.godaddy.com to look up contact data for domains not covered by GDPR policy.

The data contained in GoDaddy.com, LLC's Whois database, while believed by the company to be reliable, is provided "as is" with no guarantee or warranties regarding its accuracy. This information is provided for the sole purpose of assisting you in obtaining information about domain name registration records. Any use of this data for any other purpose is expressly forbidden without the prior written permission of GoDaddy.com, LLC. By submitting an inquiry, you agree to these terms of usage and limitations of warranty. In particular, you agree not to use this data to allow, enable, or otherwise make possible, dissemination or collection of this data, in part or in its entirety, for any purpose, such as the transmission of unsolicited advertising and and solicitations of any kind, including spam. You further agree not to use this data to enable high volume, automated or robotic electronic processes designed to collect or compile this data for any purpose, including mining this data for your own personal or commercial purposes.

Please note: the registrant of the domain name is specified in the "registrant" section. In most cases, GoDaddy.com, LLC is not the registrant of domain names listed in this database.

[See Underlying Registry Data](#) | [Contact Domain Holder](#) | [Report Invalid Whois](#)

Want to buy this domain?

Get it with our Domain Broker Service.

Go

Is this your domain?

Add hosting, email and more.

Go



Get our newsletter, join the community:

Email Address

SIGN UP

We love taking your call.

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Resources

Webmail
WHOIS
GoDaddy Mobile App
ICANN Confirmation
Tools for Pros
Redeem Code
Product Catalog
Site Map
Videos

Partner Programs

Affiliates
Reseller Programs
GoDaddy Pro

Account

My Account
My Renewals
Create Account

Shopping

Domains
Websites
WordPress
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Web Security
Email & Office
Phone Numbers
Promos